Hearing Date and Time: October 7, 2025 at 10:00 a.m. EST

Opposition Date: August 29, 2025 Reply Date: September 26, 2025

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UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re:

EQUILIBRE BIOPHARMACEUTICALS CORP.,

Debtor.

GREGORY M. MESSER Solely in His Capacity as Chapter 7 Trustee of the Estate of Equilibre Biopharmaceuticals Corp.,

Plaintiff,

-against-

SAMUEL WAKSAL, individually, as the former Chairperson, Chief Executive

x:

Case No. 23-12099 (PB)

Chapter 7

x :

Adv. Pro. 25-01087 (PB)

: DECLARATION OF DUNCAN RENNIE

IN SUPPORT OF DEFENDANT GRAVITON BIOSCIENCE B.V.'S

: MOTION TO DISMISS FOR LACK OF

x PERSONAL JURISDICTION

Officer, and President of Equilibre
Biopharmaceuticals Corp. Chairperson, and
Chief Executive Officer and President of
Graviton Bioscience Corporation, Graviton
Bioscience Holding Corporation, Graviton
US Corp. (USA), and Graviton Bioscience
B.V., FRANCOIS MAISONROUGE, RUI
WU, PETER SIMON, GRAVITON
BIOSCIENCE CORPORATION,
GRAVITON BIOSCIENCE HOLDING
CORPORATION, GRAVITON US CORP.
(USA), GRAVITON BIOSCIENCE B.V.,
BIHUA CHEN,

Defendants.

Pursuant to 28 U.S.C. § 1746, **DUNCAN RENNIE** declares, under the penalty of perjury, the following to be true:

- 1. I am a national of the United Kingdom and resident of the Netherlands, the managing director of Unsworth & Associates B.V. ("U&A") and a board member of Graviton Bioscience B.V. ("GBV"), an entity incorporated under Dutch law on behalf of its sole shareholder, Graviton Bioscience Corporation ("Graviton"). U&A is a corporate services provider, regulated and licensed by the Dutch Central Bank ("DNB").
- 2. I submit this Declaration in support of the motion to dismiss this adversary proceeding against GBV, pursuant to Bankruptcy Rule 7012(b)(2), for lack of personal jurisdiction. Unless otherwise stated, this affirmation is based upon my personal knowledge or review of the documents cited herein. Unless otherwise stated, the matters set forth herein are based upon my personal knowledge.
- 3. I have been serving on the board of GBV since its incorporation on July 13, 2021. In that capacity, I am the Managing Director of GBV and am personally familiar with all of the

aspects of this Dutch company. Attached hereto as Exhibit 1 is a true and correct copy of the GBV

incorporation papers in Dutch and English.

4. The primary purpose of GBV is to own certain intellectual property with respect to

ROCK2 Inhibitors that belonged to Graviton. Since incorporation, GBV has also acquired a

separate, unrelated Dutch company and has continued to grow its presence here in the Netherlands

and I continue my focus on compliance matters for the benefit of the board and the wider group.

5. GBV is a holding company with no offices, employees, or property in the United

States; is not registered to conduct business in the United States; and does not advertise, solicit or

conduct any business in the United States. Also, GBV does not receive any revenue from the

United States.

6. GBV has one employee and has its own office at Herengracht 540, Amsterdam,

The Netherlands. In 2021 GBV successfully applied for an Advance Pricing Agreement ("APA")

with the Dutch Tax Authorities ("DTA"), which provides substantial tax benefits to GBV. The

reason for the successful response from the DTA was, in part, due to the activities that would be

carried out directly by GBV solely in the Netherlands.

Dated: Amsterdam, The Netherlands

July 11, 2025

DUNCAN RENNIE

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